

Exhibit C

Page 1	Page 3
<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT 3 SHERMAN DIVISION</p> <p>3 YOUNG CONSERVATIVES OF) 4 TEXAS FOUNDATION) 5) 6 VS.) CIVIL ACTION NO. 7) 4:20-CV-973 8 THE UNIVERSITY OF NORTH) 9 TEXAS, THE UNIVERSITY OF) 10 NORTH TEXAS SYSTEM, NEAL) 11 SMATRESK, PRESIDENT OF THE) 12) 13 AND SHANNON GOODMAN, VICE) 14) 15 PRESIDENT FOR ENROLLMENT OF) 16 THE UNIVERSITY OF NORTH) 17 TEXAS)</p> <p>11 *****</p> <p>12</p> <p>13 ORAL DEPOSITION 14 OF 15 DR. NEAL SMATRESK 16 TAKEN VIA ZOOM 17 NOVEMBER 22, 2021</p> <p>18</p> <p>19 *****</p> <p>20 ORAL DEPOSITION OF DR. NEAL SMATRESK, taken 21 remotely via the Zoom platform, produced as a Witness at 22 the instance of the Plaintiff, and duly sworn, was taken 23 in the above-styled and numbered cause on the 22nd day of 24 November, 2021, from 1:31 p.m. to 2:29 p.m., before JUDY 25 A. COUGHENOUR JOHNSON, Certified Shorthand Reporter No.</p>	<p>1 APPEARANCES (CONTINUED)</p> <p>2 Reported By: 3 JUDY A. COUGHENOUR & ASSOCIATES BY: JUDY A. COUGHENOUR JOHNSON 4 8109 Asmara Drive Austin, TX 78750 5 PH: (512) 346-4707 e-mail: Jude@prodigy.net</p> <p>6 7 * * * * *</p> <p>8 STIPULATIONS</p> <p>9 The attorneys for all parties present stipulate and 10 agree to the following items: 11 THAT the deposition of DR. NEAL SMATRESK is taken 12 pursuant to Notice; 13 THAT by agreement of Counsel and all parties 14 present, the Reporter was allowed to swear in the Witness 15 remotely; 16 THAT all objections will be made pursuant to the 17 Federal Rules of Civil Procedure; 18 AND THAT the original transcript will be submitted 19 for signature to the Witness' attorney, SANDY 20 HELSUMS-GOMEZ, and that the Witness or the Witness' 21 attorney will return the signed transcript to JUDY A. 22 COUGHENOUR & ASSOCIATES within thirty days of the date the 23 transcript is provided to the Witness' attorney. If not 24 returned, the Witness may be deemed to have waived the 25 right to make the changes, and an unsigned copy may be</p>
Page 2	Page 4
<p>1 1198, in and for the State of Texas, reported by machine 2 shorthand at THE UNIVERSITY OF NORTH TEXAS, DENTON, TEXAS, 3 the location of the Witness, pursuant to the Federal Rules 4 of Civil Procedure and the provisions stated on the record 5 or attached herein. 6 * * * * * 7 APPEARANCES 8 For Plaintiff: 9 TEXAS PUBLIC POLICY FOUNDATION BY: CHRISTIAN TOWNSEND 10 - AND - CHANCE WELDON 11 901 Congress Avenue Austin, TX 78701 12 PH: (512) 472-2700 e-mail: Ctownsend@texaspolicy.com</p> <p>13 For Defendants: 14 HUSCH BLACKWELL BY: SANDY HELSUMS-GOMEZ 15 600 Travis Street Suite 2350 16 Houston, TX 77002 PH: (713) 647-6800 e-mail: Sandy.gomez@huschblackwell.com</p> <p>17 - AND - 18 HUSCH BLACKWELL BY: PAIGE DUGGINS-CLAY 19 111 Congress Avenue Suite 1400 20 Austin, TX 78701 PH: (512) 472-5456 e-mail: Paige.duggins-clay@huschblackwell.com</p> <p>21 Also Present: 22 DOLLY GARCIA 23 RENALDO STOWERS</p>	<p>1 used as though signed. 2 * * * * * 3 INDEX 4 Appearances..... 2 5 Stipulations..... 3 6 Exhibits..... 4 7 DR. NEAL SMATRESK 8 Examination by Mr. Townsend..... 6 9 Witness Changes and Corrections..... 51 10 Witness Signature..... 52 11 Court Reporter Certificate..... 53 12 * * * * * 13 EXHIBITS 14 EXHIBIT PAGE PAGE NUMBER DESCRIPTION MARKED REF'D 15 16 1 Being an Office of the President 2021-2022 Organizational Chart 50 11 17 18 2 Being a document entitled 8 U.S. Code 1623 - Limitation on 19 eligibility for preferential treatment of aliens not lawfully present on basis of residence 20 for higher education benefits 50 13 21 3 Being a document entitled 8 U.S. Code 1101 - Definitions 50 14 22 23 4 Being a University of North Texas Dreamers' Resource Guide 50 16 24 5 Being Tweets 50 25 25</p>

Page 5	Page 7
<p>1 EXHIBITS (CONTINUED)</p> <p>2 EXHIBIT PAGE PAGE</p> <p>3 NUMBER DESCRIPTION MARKED REF'D</p> <p>4 6 Being an article entitled</p> <p>5 Democrats Declare War on</p> <p>6 Conservatives at University of</p> <p>7 North Texas, dated July 9, 2020 50 31</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 locations, for the record?</p> <p>2 RENALDO STOWERS: My name is Renaldo</p> <p>3 Stowers. I'm Senior Associate, General Counsel, for the</p> <p>4 University of North Texas System.</p> <p>5 DOLLY GARCIA: I am --</p> <p>6 MR. TOWNSEND: My name is --</p> <p>7 DOLLY GARCIA: Dolly Garcia --</p> <p>8 MR. TOWNSEND: Oops.</p> <p>9 (The Reporter indicated Ms. Garcia</p> <p>10 could continue.)</p> <p>11 DOLLY GARCIA: I am Dolly Garcia, Associate</p> <p>12 General Counsel with the University of North Texas System.</p> <p>13 MR. TOWNSEND: My name is Christian</p> <p>14 Townsend. I represent Young Conservatives of Texas</p> <p>15 Foundation. I'm in Austin, Texas.</p> <p>16 In the room with me is Chance Weldon. He</p> <p>17 also represents YCT, and he's also in Austin, Texas.</p> <p>18 MS. HELLUMS-GOMEZ: I am Sandy</p> <p>19 Hellums-Gomez. I'm a partner at Husch Blackwell, an</p> <p>20 outside Counsel for the Defendants, and I am in Houston,</p> <p>21 Texas.</p> <p>22 MS. DUGGINS-CLAY: Good afternoon,</p> <p>23 everyone.</p> <p>24 Paige Duggins-Clay, Associate at Husch</p> <p>25 Blackwell, outside Counsel for the UNT, Defendants, and I</p>
Page 6	Page 8
<p>1 THE REPORTER: My name is Judy Coughenour</p> <p>2 Johnson, Judy A. Coughenour & Associates, 8109 Asmara</p> <p>3 Drive, Austin, Texas.</p> <p>4 Today's date is November 22, 2021. The</p> <p>5 time is 1:31 p.m.</p> <p>6 This is the oral deposition of Dr. Neal</p> <p>7 Smatresk, and it is being conducted remotely, by agreement</p> <p>8 of Counsel, with the Witness located at the University of</p> <p>9 North Texas, Denton, Texas.</p> <p>10 Will the Witness please raise your right</p> <p>11 hand and be sworn?</p> <p>12 * * * *</p> <p>13</p> <p>14 DR. NEAL SMATRESK</p> <p>15 the Witness herein, having been first duly administered an</p> <p>16 oath or affirmation, via Zoom, pursuant to the agreement</p> <p>17 of Counsel, testified as follows:</p> <p>18</p> <p>19 EXAMINATION</p> <p>20 QUESTIONS BY MR. TOWNSEND:</p> <p>21 THE REPORTER: Thank you so much.</p> <p>22 I have administered the oath, the Witness</p> <p>23 having been identified to me by attestation of Counsel.</p> <p>24 Would Counsel, and all other persons</p> <p>25 present in the rooms, please identify yourselves, and your</p>	<p>1 am in McKinney, Texas today.</p> <p>2 THE REPORTER: And are there any</p> <p>3 stipulations regarding this deposition or the transcript?</p> <p>4 MS. HELLUMS-GOMEZ: Yes. As we stated</p> <p>5 before, we would like a copy of the transcript for review</p> <p>6 and signature.</p> <p>7 (The Reporter indicated Mr. Townsend</p> <p>8 could begin at any time.)</p> <p>9 MR. TOWNSEND: Thank you.</p> <p>10 Q (Mr. Townsend) All right. Good afternoon.</p> <p>11 My name is Christian Townsend. I'm with</p> <p>12 the Texas Public Policy Foundation, and I represent the</p> <p>13 Young Conservatives of Texas Foundation in this case.</p> <p>14 Could you please state your name for the</p> <p>15 record?</p> <p>16 A (The Witness) Neal Smatresk.</p> <p>17 Q Have you ever given a deposition before?</p> <p>18 A Yes.</p> <p>19 Q All right. Well, as I'm sure you're well aware,</p> <p>20 the way things will go today, I'll ask you some questions,</p> <p>21 and you must answer them truthfully, unless your attorney</p> <p>22 tells you clearly and directly not to answer. Does that</p> <p>23 sound clear?</p> <p>24 A Yep.</p> <p>25 Q If you don't understand any of my questions,</p>

<p style="text-align: right;">Page 25</p> <p>1 A I don't think I've ever asked to do that, except</p> <p>2 for when I misspell something and delete a Tweet.</p> <p>3 Q Absolutely.</p> <p>4 But - and you can. Correct?</p> <p>5 A Yes.</p> <p>6 Q All right. This will be - I'd like to introduce</p> <p>7 Exhibit 5. I'm going to start sharing my screen. Can you</p> <p>8 see this?</p> <p>9 A Yep.</p> <p>10 Q And this is your Twitter account. Correct?</p> <p>11 A It is.</p> <p>12 Q And it's the official Twitter of the University</p> <p>13 of North Texas President?</p> <p>14 A Correct.</p> <p>15 Q And that's your name at the top?</p> <p>16 A Yes.</p> <p>17 Q So a student who sees these Tweets would assume</p> <p>18 that they come from you?</p> <p>19 A Yes.</p> <p>20 Q I'm going to scroll down to Page 2 of the</p> <p>21 exhibit.</p> <p>22 All right. Is this from - this reply from</p> <p>23 your Twitter account?</p> <p>24 A Yep.</p> <p>25 Q Can you tell me what you meant by this reply?</p>	<p style="text-align: right;">Page 27</p> <p>1 goes to Student Affairs, many different things can happen.</p> <p>2 Q What are those? Can you describe some of those</p> <p>3 things?</p> <p>4 A It can go to the Dean of Students, who then</p> <p>5 looks in to it.</p> <p>6 We get complaints all the time, on social</p> <p>7 media, and so I generally refer them to Student Affairs.</p> <p>8 Sometimes I refer them to University Branding and</p> <p>9 Marketing.</p> <p>10 Q Do you often --</p> <p>11 (The Reporter asked for a repeat of the</p> <p>12 last part of the Witness' answer.)</p> <p>13 A (The Witness) University Branding and</p> <p>14 Marketing.</p> <p>15 Q (Mr. Townsend) Do you often reply to Tweets,</p> <p>16 telling informed people that they are - well, you - you</p> <p>17 are looking in to this?</p> <p>18 A Not a lot.</p> <p>19 Q Have you ever?</p> <p>20 A Oh.</p> <p>21 Q Besides this instance?</p> <p>22 A Probably.</p> <p>23 Q Can you recall a time --</p> <p>24 A I can't --</p> <p>25 Q -- that you --</p>
<p style="text-align: right;">Page 26</p> <p>1 A That a student, who said they didn't feel good,</p> <p>2 Tweeted, and I said, "We're looking in to it."</p> <p>3 I probably forwarded the Tweet to Student</p> <p>4 Affairs.</p> <p>5 Q All right. And did UNT investigate this?</p> <p>6 A I can't recall.</p> <p>7 Q Do you know if there's ever been an</p> <p>8 investigation against YCT?</p> <p>9 A An investigation?</p> <p>10 Q Um hum.</p> <p>11 A I don't - I'm not sure if you mean it in the</p> <p>12 sense of EEOAA. I don't know.</p> <p>13 Q Have there ever been official steps to look in</p> <p>14 to the conduct of either the organization or members of</p> <p>15 that organization?</p> <p>16 A Not by me.</p> <p>17 Q Okay.</p> <p>18 A And I don't - I - I - I'm actually not sure if</p> <p>19 anyone else has, but I don't think so.</p> <p>20 Q So you - you're testifying that you're not aware</p> <p>21 of any investigations in to YCT?</p> <p>22 A Not official investigations.</p> <p>23 Q What's the difference between official and</p> <p>24 unofficial investigations?</p> <p>25 A When you say, "We're looking in to it," and it</p>	<p style="text-align: right;">Page 28</p> <p>1 A -- recall.</p> <p>2 Q -- did?</p> <p>3 A I can't recall the last time I did it.</p> <p>4 Q All right. Do you think it's reasonable for a</p> <p>5 YCT student to see this Tweet, and to think that YCT</p> <p>6 members are being investigated?</p> <p>7 MS. HELLUMS-GOMEZ: Objection. Form.</p> <p>8 A (The Witness) No.</p> <p>9 Q (Mr. Townsend) Why not?</p> <p>10 A When you say you're looking in to something, it</p> <p>11 doesn't imply a full investigation.</p> <p>12 Q But you described that there were official and</p> <p>13 unofficial investigations. Correct?</p> <p>14 A I - I said I referred it to Student Affairs, in</p> <p>15 most likelihood. And I actually couldn't recall.</p> <p>16 If someone says something that I believe is</p> <p>17 illegal, or hate speech, or something like that, I might</p> <p>18 refer it to EEOAA, or even to the police.</p> <p>19 But in this case, I doubt that I did either</p> <p>20 of those things.</p> <p>21 Q Do you know what you did do in this case?</p> <p>22 A No. I told you I'm not sure. I probably</p> <p>23 referred it to Student Affairs.</p> <p>24 Q And just to clarify, when you referred something</p> <p>25 to Student Affairs, what happens? Or what steps can</p>

<p style="text-align: right;">Page 29</p> <p>1 happen?</p> <p>2 A They look in to the situation, as best they can.</p> <p>3 Q Can you describe how?</p> <p>4 A No.</p> <p>5 Q No?</p> <p>6 A No. I --</p> <p>7 Q You don't --</p> <p>8 A -- don't know how.</p> <p>9 Q -- know how?</p> <p>10 A I don't know how.</p> <p>11 If it's something egregious, it would go to</p> <p>12 EEOAA, or a Title IX investigation.</p> <p>13 Q And when you say you refer something to Student</p> <p>14 Affairs, that's Elizabeth With oversees that?</p> <p>15 A Yes.</p> <p>16 Q And you testified earlier that you oversee</p> <p>17 Elizabeth With. Correct?</p> <p>18 A That's correct.</p> <p>19 Q But you don't know what happens when you refer</p> <p>20 someone to Student Affairs?</p> <p>21 MS. HELLUMS-GOMEZ: Objection. Form.</p> <p>22 A (The Witness) Different things happen.</p> <p>23 Sometimes I get an answer, sometimes I don't.</p> <p>24 Q (Mr. Townsend) Can you describe some of those</p> <p>25 different things for us?</p>	<p style="text-align: right;">Page 31</p> <p>1 Q (Mr. Townsend) Could a student be expelled?</p> <p>2 A Again, I don't know.</p> <p>3 Q Could a student be interviewed?</p> <p>4 A Probably.</p> <p>5 Q All right. So what is the point of you stating</p> <p>6 that you're looking in to this and were referring it to</p> <p>7 Student Affairs?</p> <p>8 MS. HELLUMS-GOMEZ: Objection. Form.</p> <p>9 A (The Witness) To let a student, who says they</p> <p>10 feel unsafe and harassed, know that someone will review</p> <p>11 this.</p> <p>12 Q (Mr. Townsend) But not you, yourself?</p> <p>13 A Nope.</p> <p>14 Q But you did testify earlier that you oversee the</p> <p>15 person who does review it?</p> <p>16 A One of them.</p> <p>17 Q All right. I'm going to introduce - this will</p> <p>18 be --</p> <p>19 MR. TOWNSEND: Is this Exhibit 6 we're on?</p> <p>20 (The Reporter indicated that it would be.)</p> <p>21 Q (Mr. Townsend) Yes. I'd like to introduce</p> <p>22 Exhibit 6.</p> <p>23 Have you seen this article before?</p> <p>24 A (The Witness) No.</p> <p>25 Q Okay.</p>
<p style="text-align: right;">Page 30</p> <p>1 A If a student - and - and I'm speculating now, so</p> <p>2 I don't really see the value of this.</p> <p>3 Q Well, I'm just asking what are different</p> <p>4 measures that Student Affairs can take, once they get a</p> <p>5 referral from yourself?</p> <p>6 A They can refer it to the Dean of Students for</p> <p>7 followup, or they can refer it to EEOAA, or they can refer</p> <p>8 it to the police.</p> <p>9 Q So just to clarify, there are three --</p> <p>10 A They --</p> <p>11 Q -- actual --</p> <p>12 A -- or they could decide to do nothing.</p> <p>13 Q All right. So just to clarify, there are four</p> <p>14 actions that Student Affairs can do - take, when they</p> <p>15 receive a - a referral from you?</p> <p>16 A Well, I would - I would say there's two. They</p> <p>17 can act on it or not.</p> <p>18 Q All right. And if they do choose to act on it,</p> <p>19 the things that they can do are --?</p> <p>20 A Refer to the police, refer to EEOAA, or refer to</p> <p>21 the Dean of Students' office.</p> <p>22 Q And if they are referred to the Dean of</p> <p>23 Students' office, could students get in trouble for that?</p> <p>24 MS. HELLUMS-GOMEZ: Objection. Form.</p> <p>25 A (The Witness) I don't know.</p>	<p style="text-align: right;">Page 32</p> <p>1 A Not that I recall.</p> <p>2 Q All right. I'm just going to walk through a</p> <p>3 couple of things in this article.</p> <p>4 First it says it's from July 9th, 2020.</p> <p>5 Correct?</p> <p>6 A Yep.</p> <p>7 Q All right. I'm going to scroll down to Page 2.</p> <p>8 Can you familiarize yourself with this</p> <p>9 paragraph, starting with, "The UNT chapter"?</p> <p>10 A I read it.</p> <p>11 Q Great.</p> <p>12 And that paragraph says that Kelly Neidert</p> <p>13 was last - the previous year's chapter's chairman.</p> <p>14 A That's what the sentence says.</p> <p>15 Q Great.</p> <p>16 So that would have been 2019. Correct?</p> <p>17 A Well, I don't know the date. I think --</p> <p>18 Q But it would have been the year before this</p> <p>19 article was published?</p> <p>20 A I don't know.</p> <p>21 MS. HELLUMS-GOMEZ: Objection. Form.</p> <p>22 A (The Witness) I don't know.</p> <p>23 Q (Mr. Townsend) Do you know if Kelly Neidert was</p> <p>24 the chapter's chairman at UNT? Or YCT at UNT?</p> <p>25 A I assume from this she was, but I don't know.</p>